

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

| | | |
|--|---|-------------------------|
| DIGITAL MEDIA SOLUTIONS, LLC, |) | CASE NO. 1:19-CV-145 |
| |) | |
| Plaintiff, |) | JUDGE DAN AARON POLSTER |
| |) | |
| v. |) | MAGISTRATE JUDGE |
| |) | THOMAS M. PARKER |
| SOUTH UNIVERSITY OF OHIO, LLC, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

MOTION OF STUDIO ENTERPRISE MANAGER, LLC TO INTERVENE

Pursuant to Rule 24 of the Federal Rules of Civil Procedure, Studio Enterprise Manager, LLC, as secured party under the Framework Agreement,¹ hereby moves the Court to intervene in this action. The reasons supporting this Motion are set forth in the accompanying Memorandum in Support. A proposed Order Authorizing Studio Enterprise Manager, LLC to Intervene is attached hereto as Exhibit A.

¹ Capitalized terms used but not defined in this Motion shall have the meaning ascribed to such terms in the accompanying *Memorandum in Support of Studio Enterprise Manager, LLC's Motion to Intervene*, dated February 12, 2019 ("Memorandum"), submitted herewith.

Dated: February 12, 2019

Respectfully submitted,

s/ Scott N. Opincar

Scott N. Opincar (0064027)

M. Colette Gibbons (0003095)

Adam C. Smith (0087720)

MCDONALD HOPKINS LLC

600 Superior Avenue, East

Suite 2100

Cleveland, OH 44114

Telephone: (216) 348-5753

Facsimile: (216) 348-5474

Email: sopincar@mcdonaldhopkins.com

cgibbons@mcdonaldhopkins.com

acsmith@mcdonaldhopkins.com

OF COUNSEL:²

Dianne F. Coffino

Martin E. Beeler

Gabriella B. Zahn-Bielski

COVINGTON & BURLING LLP

The New York Times Building

620 Eighth Avenue

New York, NY 10018

Telephone: (212) 841-1000

Facsimile: (212) 841-1010

Email: dcoffino@cov.com

mbeeler@cov.com

g Zahnbielski@cov.com

Counsel for Studio Enterprise Manager, LLC

² Covington & Burling LLP attorneys are in the process of collecting good-standing certificates necessary for admission *pro hac vice* and will be filing motions for admission *pro hac vice* once all necessary supporting materials are available to comply with local rules.

Certificate of Service

A copy of the foregoing was served via the Court's Electronic Filing Systems on this
February 12, 2019.

s/ Scott N. Opincar
Scott N. Opincar (0064027)

Counsel for Studio Enterprise Manager, LLC